

REMARKS/ARGUMENTS

Claims 7-8 and 13-20 are pending in this application. Claims 7 and 13 are independent claims. Claims 7 and 16 have been currently amended. Support for the amendment may be found throughout the Specification and Drawings.

Floppy Disk

Per the Patent Office's request, Applicant has enclosed a floppy disk containing all pending claims along with Applicant's responsive remarks. Applicant understands that only the paper copy will be entered.

Title

Please amend the title to "METHOD FOR MANAGING INTERACTION BETWEEN INFORMATION APPLIANCES AND APPLIANCE SERVICES."

Claim Rejections – 35 USC § 103(a)

Claims 7-8 and 13-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dancs et al. ("Dancs", U.S. Patent No. 6,385,651) in view of Nessett et al. ("Nessett", U.S. Patent No. 5,727,145). Applicant respectfully traverses this rejection.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Independent Claim 7 recites an element of "receiving, by an appliance service, an authentication interface dynamic base object ..., said appliance service being a content provider" (emphasis added). In rejecting Claim 7, the Patent Office first admitted that Dancs fails to teach the foregoing-indicated element (Office Action,

page 3, line 11). Then, the Patent Office proceeded to allege that Nessett teaches the foregoing-indicated element, apparently analogizing the “location service” of Nessett to the “appliance service” in Claim 7 and the “dynamic invocation interface” of Nessett to the “authentication interface dynamic base object” in Claim 7 (Office Action, page 3, lines 12-14). Applicant respectfully disagrees.

As indicated in Nessett, “[g]enerally, in a distributed object computing system, a Location Service is constantly running in the background of a host computer and is used to locate object servers” (emphasis added) (col., 1, lines 51-53), and “[a]n object server is a process that includes objects that may communicate with clients within the distributed object system” (emphasis added) (col., 2, lines 18-20). Thus, the “location service” of Nessett cannot be the “appliance service being a content provider” in Claim 7 since a content provider *cannot* be constantly running in the background of a host computer.

Moreover, even though the “dynamic invocation interface” of Nessett and the “authentication interface dynamic base object” in Claim 7 have a word “dynamic” in common, they are totally different. As indicated in Nessett, “[d]ynamic invocation interface 26 is used to enable clients to construct dynamic requests” (emphasis added) (col. 4, line 66 – col. 5, line 1). Thus, the “dynamic invocation interface” of Nessett *cannot* be an object, let alone an “authentication interface dynamic base object” in Claim 7.

At least based on the foregoing reasons, the rejection of Claim 7 should be withdrawn and Claim 7 should be allowed.

Claim 8 depends from Claim 7 and is therefore allowable due to its dependence.

In rejecting independent Claim 13, the Patent Office first admitted that Dancs fails to teach Claim 13 (Office Action, page 3, line 6 from bottom). Then, the Patent Office proceeded to allege that Nessett teaches some limitations in Claim 13 (Office Action, page 3, line 5 from bottom to the bottom line). The Patent Office has clearly misunderstood Claim 13 since those limitations are *not* recited in Claim 13, but recited in Claim 7 instead. Applicant herein respectfully requests the Patent Office to indicate exactly on what grounds Claim 13 was rejected. Furthermore, Applicant respectfully submits that Nessett fails to teach Claim 13. Because the Patent Office

has failed to establish a *prima facie* case of obviousness for Claim 13, the rejection of Claim 13 should be withdrawn and Claim 13 should be allowed.

Claim 14-20 depend from Claim 13 and are therefore allowable due to their dependence.

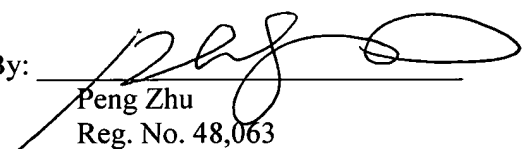
CONCLUSION

In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in the case.

Respectfully submitted on behalf of
Gateway, Inc.,

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By: _____


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